

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NORTHEASTERN DIVISION**

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**DANIEL GENE BOZE,  
JIMMY JOE BOZE,  
and MARY RUTH BOZE,  
Surviving Spouse of Joe Boze,**

**Plaintiffs,**

**v.**

**GREAT AMERICAN  
INSURANCE COMPANY,**

**Defendant.**

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**Case No. 2:21-cv-00002**

**Hon. Waverly D. Crenshaw, Jr.  
Magistrate Judge Alistair Newbern**

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**DEFENDANT’S MOTION FOR ORAL ARGUMENT  
ON ITS MOTION TO DISMISS**

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Pursuant to Local Rule 78.01 and Item No. 5 in the Judicial Preferences for Judge Waverly D. Crenshaw, Jr., Defendant Great American Insurance Company (“Great American”), respectfully requests that the Court grant oral argument on its Motion to Dismiss, filed concurrently with this motion. The issues to be considered relate to federal preemption of the Plaintiffs’ claims and are complex, and oral argument will be beneficial to the Court in ruling on said motions.

Respectfully submitted,

s/ Thomas C. James, Jr.

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### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that he served a copy of the foregoing through the Court's Electronic Case Filing System (CM/ECF), upon Plaintiffs' attorney, Wendell L. Hoskins II, Law Office of Wendell L. Hoskins II, 404 Ward Ave., P.O. Box 1115, Caruthersville, MO 63830 (Wendell@WendellHoskins.com), this 18th day of January 2024.

s/ Thomas C. James, Jr.

Thomas C. James, Jr.